

Green, LindaE

From: Gottesman, Larry
Sent: Monday, October 26, 2015 3:34 PM
To: FOIA HQ
Cc: Stilp, Mark
Subject: FW: Touhy Subpoena and FOIA Request
Attachments: Macom Interceptor (Subpoena of Paskiewicz) (00000002).pdf

Importance: High

Please enter as a new FOIA request.

From: Stilp, Mark
Sent: Monday, October 26, 2015 2:25 PM
To: Gottesman, Larry <Gottesman.Larry@epa.gov>
Subject: Touhy Subpoena and FOIA Request
Importance: High

Hi Larry:

I am writing to pass along the attached Touhy subpoena. Will you please have someone on your team enter it as a FOIA request for OCEFT and then provide me with the FOIA Tracking Number once it is entered (today, if at all possible)?

Thanks for your help!

-Mark Stilp

Mark Stilp
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Office of General Counsel
U.S. Environmental Protection Agency
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October 1, 2015

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E-MAIL: kjablonski@orlaw.com

Re: Macomb Interceptor Drain Drainage District v Inland Waters
Pollution Control Inc., et al
Case No. 2:11-cv-13101

Dear Mr. Helms:

Enclosed please find a Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action directed to Carol A. Paszkiewicz. Please note that I have unilaterally selected the date and time for this deposition. Of course, should you and/or the deponent be unavailable, please contact me so that this deposition can be scheduled on a mutually agreeable date and time.

Sincerely,



Keith C. Jablonski

KCJ/lh

cc: Jerome R. Watson, Esq. (w/encs.)
David J. Poirier, Esq. (w/encs.)
Raechel M. Badalamenti, Esq. (w/encs.)

J:\Jablonski, Keith C\WIDDILL\Helms Itr w-Subpoena 10-1-15.doc

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

Macomb Interceptor Drain Drainage District

Plaintiff

v.

Inland Waters Pollution Control Inc.

Defendant

Civil Action No. 2:11-cv-13101-RHC-MKM

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Carol A. Paszkiewicz

(Name of person to whom this subpoena is directed)

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See attached Exhibit A

Place: Offices of O'Reilly Rancilio P.C.
12900 Hall Road, Suite 350
Sterling Heights, Michigan 48313

Date and Time:

10/19/2015 10:00 am

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 10/01/2015

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* Plaintiff
Macomb Interceptor Drain Drainage District, who issues or requests this subpoena, are:
Keith C. Jablonsk, Esq., 12900 Hall Rd., Suite 350, Sterling Hts., MI 48313, kjablonski@orlaw.com, 586-726-1000

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

EXHIBIT A

Any and all documents taken during the February 29, 2012 interview of Walter Rozycki and Dennis Oszust in connection with Case Number 0506-0026 – Case Title: Ferguson Enterprises, Inc. If the Deponent identifies documents or other tangible things that would otherwise be responsive to this Subpoena but have been transferred or given over to third parties, Deponent is requested to identify such documents or tangible things and indicate in response to this Subpoena to whom those documents and/or tangible things were given. The documents to be produced pursuant to this Subpoena should include, but not be limited to, the following:

1. Any and all documents provided to the deponent by any of the interview subjects.
2. Any and all notes or memoranda related to the 15 Mile Road Sinkhole Repair Project created by the deponent during any of the interviews conducted in that case.
3. Any and all documents generated as a result of the interview or in conjunction with the interview.